

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

JOHN T. LAMONT and  
PRESTON POULTER,

Plaintiffs,

v.

DEAN ASSAF A/K/A DA TALKS,  
VICTORIA KUNDERT  
A/K/A VIKKIVERSE.  
Defendants.

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Civil Action No. 3:21-CV-1176-K

Judge Kinkeade

**DECLARATION OF VICTORIA KUNDERT**

I, Victoria c. Kundert, declare the following exhibits are true and correct copies.

1. **Exhibit 1** is a true and correct screenshot of the livestream broadcast April 16, 2020 on the YouTube channel Pocket Jacks Comics entitled “Refining the #Comicsgate Cringe with Vikkiverse” taken at the 1 hour 8 minute mark.

2. **Exhibit 2** is a true and correct screenshot of a video uploaded on May 3, 2020 to the YouTube channel Pocket Jacks Comics entitled “That Umbrella Guy Needs Your Support: [#istandwithvikki](#)”

3. **Exhibit 3** is a true and correct copy of an email received by Defendant Kundert on August 8, 2020 confirming the backing of Plaintiff Poulter’s Kickstarter Campaign “Make 100: Guinevere and the Divinity Factory #3 Adult Cover”<sup>3</sup>.

4. **Exhibit 4** is a true and correct copy of a Declaration by Defendant Kundert’s Landlord, Giles

Tomkin.

5. **Exhibit 5** is a true and correct copy of a post from Plaintiff Poulter, using his “pocketjackscomics” Discord account name, in his public Discord Server, Figures of Legends.

4. **Exhibit 6** is a true and correct copy of a Declaration by Defendant Kundert’s supervisor and housemate Tanamera Barber.

5. **Exhibit 7** is a thtrue and correct copy of the photograph taken by Defendant Victoria Kundert on October 14, 2021 at 12:09:31pm.

6. **Exhibit 8** is a true and correct copy of the metadata of the photograph taken by Defendant Victoria Kundert on October 14, 2021.

6. **Exhibit 9** is a true and correct copy of the Facebook post published by Defendant Victoria Kundert on October 14, 2021.

5. **Exhibit 10** is a true and correct copy of the photograph taken by Defendant Victoria Kundert on October 15, 2021 at 12:21:37pm.

6. **Exhibit 11** is a true and correct copy of the metadata of the photograph taken by Defendant Victoria Kundert on October 15, 2021

6. **Exhibit 12** is a true and correct copy of the Facebook post published by Defendant Victoria Kundert on October 15, 2021.

I declare under penalty of perjury that the foregoing is true and correct.

Dated this 9<sup>th</sup> Day of February, 2023 at Wallace, NC USA.

/s/ Victoria C. Kundert

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Victoria C. Kundert

EXHIBIT 1 - Screenshot of Pocket Jacks Comics Livestream.

YouTube Channel, Pocket Jacks Comics, 1 hr. 12. min livestream entitled, ““Refining the #Comicsgate Cringe with Vikkiverse”. (Screen shot below taken at 1 hour 8 minutes.), originally streamed April 16, 2020. <<https://www.youtube.com/wa=bo3qssrd57A>>

The screenshot shows a YouTube interface with a search bar at the top. The video player displays two circular video feeds: one of Preston Poulter, labeled 'Preston Poulter, Pocket Jacks Comics', and another of a dog with a blue mohawk, labeled 'Vikki'. The video progress bar shows 1:08:03 / 1:12:42. Below the video, the title 'Refining the #Comicsgate Cringe with Vikkiverse' is displayed, along with 1,329 views and a note that it was streamed live on Apr 16, 2020. Interaction buttons for likes (111), dislikes, share, save, and a menu are present. The channel name 'Pocket Jacks Comics' is shown with 1.21K subscribers and a red 'SUBSCRIBE' button. The video description includes a paragraph about CG drama, a link to an interview with Ethan Van Sciver, a link to purchase exclusive covers on Indiegogo, a link to a Kickstarter for White Lily #5, and a link to a playlist of past Writer's Groups. A 'SHOW LESS' link is at the bottom of the description.

YouTube

Search

Preston Poulter, Pocket Jacks Comics

Vikki

1:08:03 / 1:12:42

Refining the #Comicsgate Cringe with Vikkiverse

1,329 views • Streamed live on Apr 16, 2020

111 DISLIKE SHARE SAVE ...

**Pocket Jacks Comics**  
1.21K subscribers

**SUBSCRIBE**

We've drilled down into CG drama and have tapped into a gusher that is flying out with such velocity that we're trying to cap the well before we can have the drama refined and processed for consumption.

You can see Vikki's interview with Ethan Van Sciver here:  
<https://www.youtube.com/watch?v=yUyN...>

You can purchase my exclusive covers of Guinevere and the Divinity Factory #2 or White Widow on Indiegogo:  
<https://www.indiegogo.com/projects/wh...>

I encourage you to sign up for my Kickstarter for White Lily #5:  
<https://www.kickstarter.com/projects/...>

If you want to watch past Writer's Groups, here is the playlist:  
<https://www.youtube.com/playlist?list...>

SHOW LESS

EXHIBIT 2 – Screenshot of Pocket Jacks Comics Video

YouTube Channel, Pocket Jacks Comics, 12 minute video entitled “That Umbrella Guy Needs


Your Support: [#istandwithvikki](https://www.youtube.com/watch?v=7zjiERI8l0o)”, uploaded to YouTube on May 3, 2020,

<https://www.youtube.com/watch?v=7zjiERI8l0o>, containing the description:

“That Umbrella Guy (TUG) recently revealed that he had the doxx on a critic of Ethan Van Sciver, Vikkiverse. Soon thereafter, Vikki's doxx was put forward in a Twitter account.”

YouTube

Search



That Umbrella Guy Needs Your Support: [#istandwithvikki](https://www.youtube.com/watch?v=7zjiERI8l0o)

2,134 views • May 3, 2020

144 DISLIKE SHARE SAVE ...

**Pocket Jacks Comics**  
1.21K subscribers

**SUBSCRIBE**

That Umbrella Guy (TUG) recently revealed that he had the doxx on a critic of Ethan Van Sciver, Vikkiverse. Soon thereafter, Vikki's doxx was put forward in a Twitter account.

In addition, a new Twitter account has surfaced attacking the suicide of Krissy's mother again. Who could be behind this?

Well, on that, Ethan Van Sciver and I agree. It was TUG. He is getting ready to launch his sequel to The Case of the Littlest Umbrella, Part 2. Going from the Ethan-CG playbook, that means he has to do something provocative and monetize the outrage.

As such, here is a deep dive on the grifter who goes by the name, That Umbrella Guy.

Here is a link to Guinevere and the Divinity Factory and White Widow on Indiegogo:  
<https://www.indiegogo.com/projects/wh...>

Here is the link for my upcoming campaign for White Lily #5:  
<https://www.kickstarter.com/projects/...>

SHOW LESS



### EXHIBIT 3 – Email Confirmation of Backing KickStarter Campaign

Email received on August 8, 2020 by Defendant Kundert confirming backing of Plaintiff Poulter’s Kickstater crowdfunding campaign for Campaign “Make 100: Guinevere and the Divinity Factory #3 Adult Cover” containing a mailing address in Wallace, North Carolina.

4/4/22, 10:38 AM

Gmail - Survey Confirmation -- Make 100: Guinevere and the Divinity Factory #3 Adult Cover




VikkiVerse <vikkiverse@gmail.com>

#### Survey Confirmation -- Make 100: Guinevere and the Divinity Factory #3 Adult Cover

1 message

**Preston Poulter** <no-reply@s.backerkit.com>  
To: vikkiverse@gmail.com

Sat, Aug 8, 2020 at 12:19 PM



Make 100: Guinevere and the Divinity Factory #3 Adult Cover

Created by Preston Poulter

Hi, Victoria Kundert!

Thank you for updating your pledge!

This email is your receipt.

Learn how you can help!

[Join the Community!](#)

Have questions? [Contact Us »](#)

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Shipping Information

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**Victoria Kundert**  
120 East Main Street  
c/o Cuts 4 Muttz  
Wallace, NC 28466  
United States of America  
9102827111

[Update Your Address](#)

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Balance

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<b>\$30.00 Pledge Level</b>	<b>\$30.00</b>
<b>Shipping Total</b>	<b>\$0.00</b>

<https://mail.google.com/mail/u/0/?ik=3ef9797336&view=pt&search=all&permthid=thread-f%3A1674474790809118584&simpl=msg-f%3A16744747908...> 1/3

4/4/22, 10:38 AM

Gmail - Survey Confirmation -- Make 100: Guinevere and the Divinity Factory #3 Adult Cover

Pledge Level	\$0.00
<b>Pledged on Kickstarter</b>	<b>(\$30.00)</b>
<b>Credit Remaining</b>	<b>\$0.00</b>

Pledge Summary

**\$30 REWARD**

Guinevere #3 Miss Sashi Adult Cover - FREE DOMESTIC SHIPPING The early release of issue 3. You get it before anyone else. Only 100 copies will be issues of the adult cover version of Miss Sashi's variant cover for Guinevere #3. In addition, you will get your name added to the Thank You page in the back of Guinevere and the Divinity Factory #3, main cover print edition. Note: If you want to add-on the other covers to your purchase, they are a flat \$25 each. Increase your base pledge by that amount for each of the other covers you want.

Pledge Questions

Your pledge includes a cover of the Miss Sashi, Make 100 Adult Cover of Guinevere and the Divinity Factory #3. Would you like that unmarked, autographed, or autographed and graded by CBCS.

**Autographed**

Your reward includes having your name on the Thank You page on the inside back cover. How would you like your name to appear?

I would like to appear on the Thank You page under the following name

**Victoria Kundert**

Thank you for your business. Your items have been added to your cart. On the next screen, you will be able to purchase additional products such as prints and back issues. Would you like the email address you used to be added to the Pocket Jacks newsletter so that you don't miss out on future crowd fund projects?

**Got it. I don't wish to subscribe to the newsletter. Take to me see the add-ons.**

[Update Your Answers](#)

What Happens Next?

**1. Orders Locked**

Your order will be locked when the project is ready for manufacturing.

**2. Shipping Addresses Locked**

Your shipping address will be locked when the project is ready for fulfillment.

**3. Tracking Information**

You will be notified if a tracking number is available for your order.

[Review on BackerKit](#)

Use this link to return to your survey any time:

<https://mail.google.com/mail/u/0/?ik=3ef9797336&view=pt&search=all&permthid=thread-f%3A1674474790809118584&simpl=msg-f%3A1674474790809118584> 2/3

4/4/22, 10:38 AM

Gmail - Survey Confirmation -- Make 100: Guinevere and the Divinity Factory #3 Adult Cover

[https://guinevere3.backerkit.com/invites/oEKTkX\\_\\_cjGFukPoCWl\\_og/confirm?email=dmlra2l2ZXJzZUBnbWVpbC5jb20%3D&redirect\\_path=%2Fbacker%2Freview&utm\\_medium=email&utm\\_source=order\\_confirmation](https://guinevere3.backerkit.com/invites/oEKTkX__cjGFukPoCWl_og/confirm?email=dmlra2l2ZXJzZUBnbWVpbC5jb20%3D&redirect_path=%2Fbacker%2Freview&utm_medium=email&utm_source=order_confirmation)

Feedback

**The BackerKit team would love to hear from you!**

Want to give feedback about your experience in crowdfunding to help make it better? Here's your chance:

**Take a 1-minute survey to help create a better experience for you »**

\*NOTE: This survey is unrelated to the responses provided in your pledge survey. BackerKit isn't a representative of Kickstarter/Indiegogo/creator of this project. This survey is for research purposes only and in no way affects the delivery or submission of your pledge to any projects supported in BackerKit.

**Check out our favorite live crowdfunding projects this week:**  
**Discover Projects: BackerKit Staff Favorites**

Have questions? [Contact Us »](#)

This project is using [BackerKit](#) surveys and pledge management software to stay organized and on schedule.

[BackerKit FAQs](#) | [Privacy Policy](#) | [Contact Us](#) | [Unsubscribe](#)

<https://mail.google.com/mail/u/0/?ik=3ef9797336&view=pt&search=all&permthid=thread-f%3A1674474790809118584&simpl=msg-f%3A16744747908...> 3/3

EXHIBIT 4 - Declaration by Defendant Kundert's Landlord, Giles.

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Civil Action No. 3:21-CV-1176-K

Judge Kinkeade

DECLARATION OF GILES TOMKIN

Giles Tomkin, pursuant to 28 U.S.C. § 1746, hereby declares as follows:

1. I am over 18 years of age, of sound mind, and otherwise competent to make this Declaration. The facts set out in herein are based on my personal knowledge.
2. I am a resident of Duplin County, North Carolina and reside at 215 Southeast Railroad Street Wallace, North Carolina.
3. I am secretary of a 501(c)(3) registered charitable organization named The Sanctuary Project EIN:43-1968020 whose purpose is to assist individuals in need.
4. Victoria Kundert has been and is a resident at the property of The Sanctuary Project in Duplin County, North Carolina located at 101 East Main Street, Wallace, North Carolina since January 9, 2019 until present.

I declare under perjury that the forgoing is true and correct.

Executed on April 5, 2022 in Wallace, NC, USA.

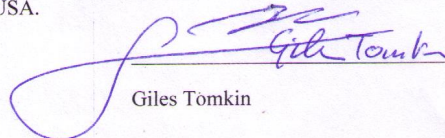
  
Giles Tomkin

EXHIBIT 5 - Post from Plaintiff Poulter, using his “pocketjackscomics” Discord account name, in his public Discord Server, Figures of Legends.

<<https://discord.com/channels/737499295086805004/738471081857515623/900422124324409374>>

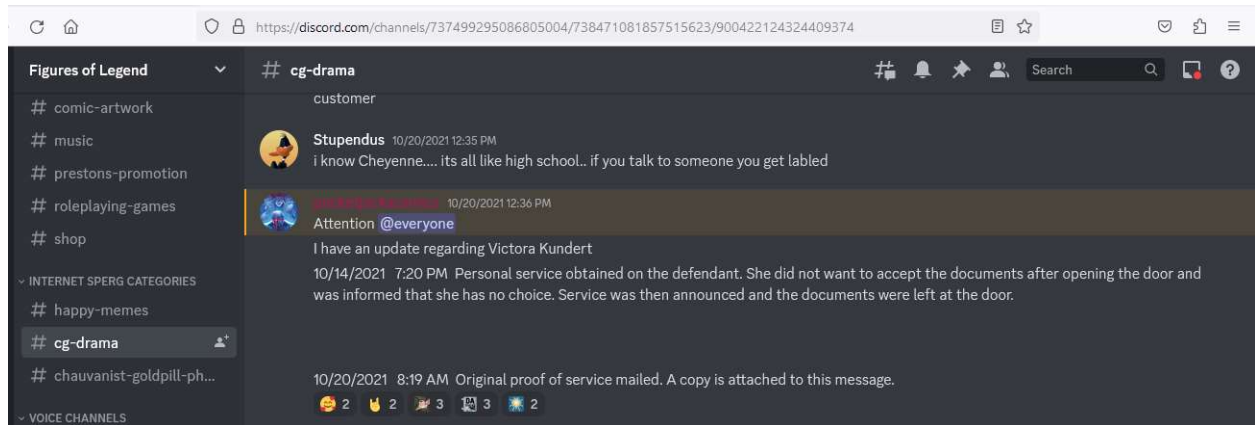


EXHIBIT 6 – Declaration of Tanamera Barber

**IN THE UNITED STATES DISTRICT COURT  
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A/K/A VIKKIVERSE.  
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Civil Action No. 3:21-CV-1176-K

Judge Kinkeade

DECLARATION OF TANAMERA BARBER

I, Tanamera Barber, pursuant to 28 U.S.C. § 1746, hereby declares as follows:

1. I am over 18 years of age, of sound mind, and otherwise competent to make this Declaration. The facts set out in herein are based on my personal knowledge.
2. I am the on-site Manager of The Sanctuary Project Thrift Store located at 101 East Main Street in Wallace, North Carolina, where Victoria Kundert is a full-time volunteer and is The Sanctuary Project's social media manager and has sole control of all postings on The Sanctuary Project Facebook page.
3. I reside at 101 East Main Street in Wallace, North Carolina, upstairs from The Sanctuary Project Thrift Store, along with Ms. Kundert.
4. On October 14, 2021, Ms. Kundert was at The Sanctuary Project Thrift Store from 12 noon when the store opened, until 6pm, when the store closed. Sometime after the store opened, Ms. Kundert published a photograph of the store to The Sanctuary Project Facebook page.
5. Ms. Kundert was home at 101 East Main Street, Wallace, North Carolina for the entire night of October 14, 2021.

DECLARATION OF TANAMERA BARBER

Page 1



6. 4. On October 15, 2021, Ms. Kundert was at The Sanctuary Project Thrift Store from 12 noon when the store opened, until 6pm, when the store closed. Sometime after the store opened, Ms. Kundert published a photograph of the store to The Sanctuary Project Facebook page.

I declare under perjury that the forgoing is true and correct.

Executed on February 8, 2023 in Wallace, North Carolina, USA.



Tanamera Barber



EXHIBIT 7 – Photograph taken by Defendant Victoria Kundert on October 14, 2021 at 12:09:31pm. <filename 20211014\_120932.jpg>



EXHIBIT 8 - Metadata of the photograph, filename 20211014\_120932.jpg, taken by Defendant Victoria Kundert on October 14, 2021.

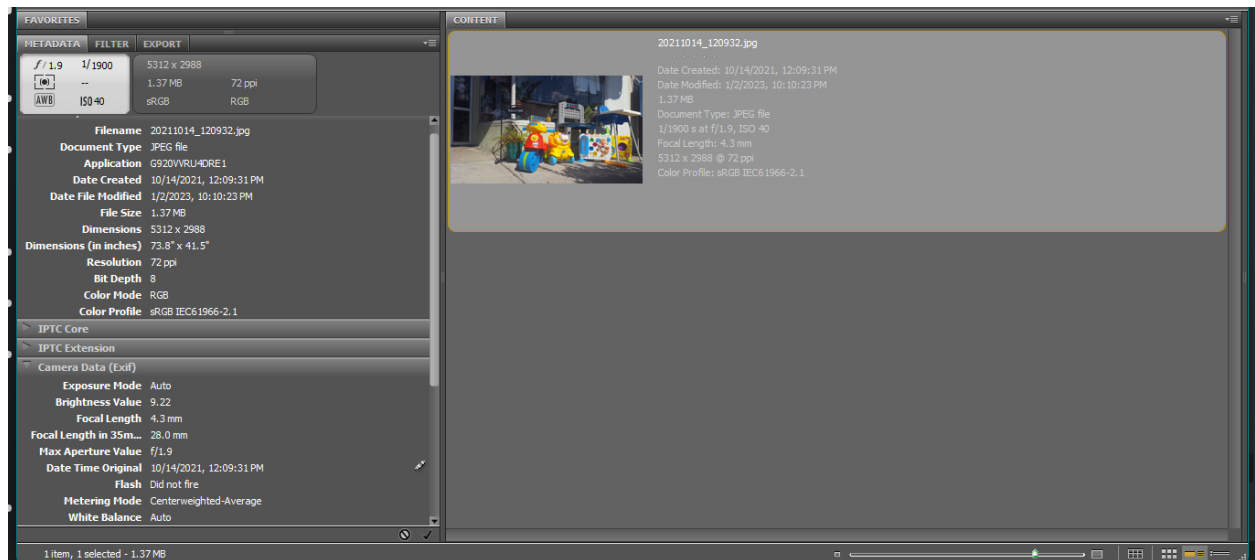


EXHIBIT 9 – Facebook post published by Defendant Victoria Kundert on October 14, 2021.

The screenshot displays the Facebook interface for 'The Sanctuary Project' page. On the left is the 'Manage Page' sidebar with options like 'Promote', 'Home', 'Professional Tools', 'Professional dashboard', 'Insights', 'Ad Center', 'Create ads', 'Create Automated Ads', 'Boost Post', and 'Boost Instagram Post'. The main content area shows the page's 'Intro' with details: 'We are a 501c3 non-profit thrift shop serving Wallace, NC and the surrounding area', address '101 East Main Street Wallace NC 28466', phone '+1 910-619-7522', email 'SanctuaryProjectWallace@yahoo.com', website 'tspweb.us', and a PayPal donation link. A post from 'Tsp Wallace' dated October 14, 2021, is featured, announcing a 'Kid's Clothes Bag Sale' with a photo of colorful children's toys. The post includes a 'Boost post' button and a link to 'See insights and ads'.

EXHIBIT 10 – Photograph taken by Defendant Victoria Kundert on October 15, 2021 at 12:21:37pm. <filename 20211015\_123127.jpg>



EXHIBIT 11 - Metadata of the photograph, filename 20211015\_123127.jpg, taken by Defendant Victoria Kundert on October 14, 2021.

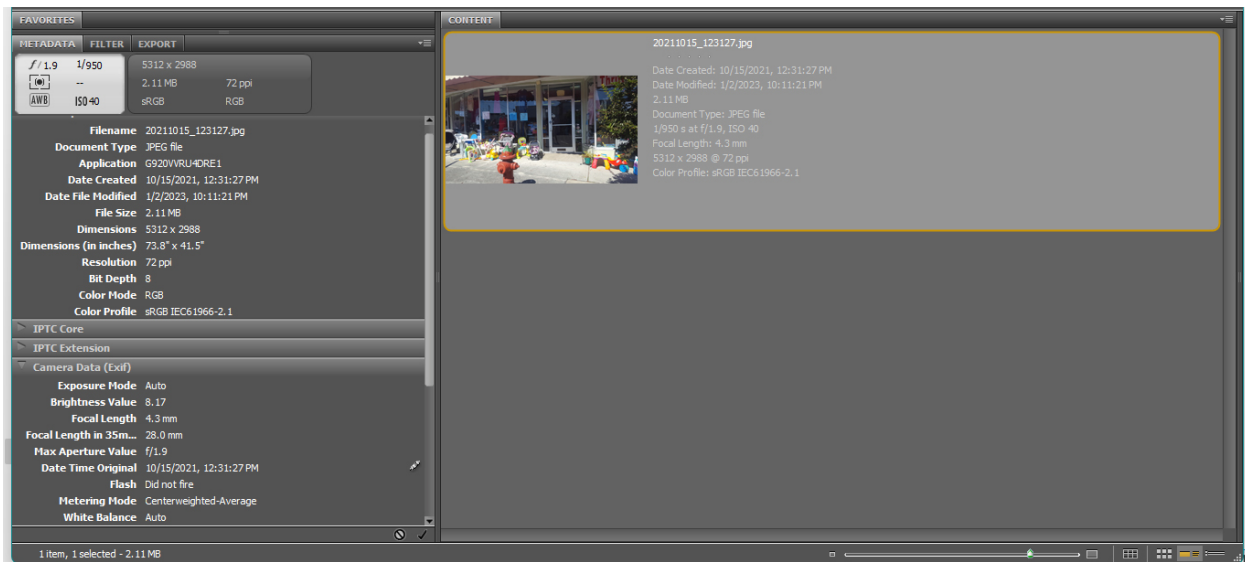




EXHIBIT 12 – Facebook post published by Defendant Victoria Kundert on October 15, 2021.

The screenshot displays the Facebook interface for 'The Sanctuary Project'. On the left, the 'Manage Page' sidebar is visible, featuring options like 'Promote', 'Home', 'Professional Tools', 'Professional dashboard', 'Insights', 'Ad Center', 'Create ads', 'Create Automated Ads', 'Boost Post', and 'Boost Instagram Post'. The main content area shows the page's 'Intro' with a description: 'We are a 501c3 non-profit thrift shop serving Wallace, NC and the surrounding area'. Below this, contact information is listed, including the address '101 East Main Street Wallace NC 28466', phone number '+1 910-619-7522', email 'SanctuaryProjectWallace@yahoo.com', website 'tspweb.us', and a PayPal donation link. A post from 'The Sanctuary Project' dated October 15, 2021, is featured, with the text: 'It's a Fab Friday! Halloween is around the corner and we have kid's costumes for \$3-\$6 dollars!'. The post includes a photo of a storefront filled with children's clothing and toys. At the bottom of the post, there are links for 'See insights and ads' and a 'Boost post' button.